

REMARKS/ARGUMENTS***Brief Summary of Status***

Claims 1-12 are pending in the application.

Claims 1-12 are rejected.

The Applicant has added certain new claims.

The Applicant respectfully believes that no claims are due.

35 U.S.C. § 103

The Examiner asserts:

“5. Claims 1-2, 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi (US Patent Application Publication No. 2001/0036190 A1), and further in view of Shah (US Patent No. 7,307,980 B1).” (office action, Part of Paper No./Mail Date 20080919, p. 2)

The Applicant respectfully traverses.

The Applicant has amended certain of the claims.

The Applicant respectfully asserts that the claims are allowable over the Examiner-cited references.

The Applicant respectfully asserts that Takahashi, Shah, when considered individually or together, fails to teach and disclose the subject matter as claimed by the Applicant in these claims.

In view of at least these comments made above, the Applicant respectfully believes that these independent claims rejected above are patentable over these cited references.

The Applicant respectfully believes that these dependent claims rejected above, being further limitations of the subject matter as claimed in allowable independent claims, respectively, are also allowable.

As such, the Applicant respectfully requests that the Examiner withdraw the rejections of these claims.

The Examiner asserts:

“6. Claims 3, 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi and Shah as applied to claim 1 above, and further in view of Skemer (US Patent No. 6,570,849 B1).” (office action, Part of Paper No./Mail Date 20080919, p. 5)

The Applicant respectfully traverses.

The Applicant has amended certain of the claims.

The Applicant respectfully asserts that the claims are allowable over the Examiner-cited references.

The comments made above with respect to Takahashi and Shah are also applicable here.

The Applicant respectfully believes that the inclusion of Skemer fails to overcome the deficiencies of Takahashi and Shah.

The Applicant respectfully asserts that Takahashi, Shah, and Skemer, when considered individually or together, fails to teach and disclose the subject matter as claimed by the Applicant in these claims.

In view of at least these comments made above, the Applicant respectfully believes that independent claim 1 is patentable over these cited references.

The Applicant respectfully believes that these dependent claims rejected above, being further limitations of the subject matter as claimed in allowable independent claims, respectively, are also allowable.

As such, the Applicant respectfully requests that the Examiner withdraw the rejections of these claims.

The Examiner asserts:

“7. Claims 3, 5, 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi and Shah as applied to claim 1 above, and further in view of Leung (US Patent Application Publication No. 2002/0087711 A1).” (office action, Part of Paper No./Mail Date 20080919, p. 6)

The Applicant respectfully traverses.

The Applicant has amended certain of the claims.

The Applicant respectfully asserts that the claims are allowable over the Examiner-cited references.

The comments made above with respect to Takahashi and Shah are also applicable here.

The Applicant respectfully believes that the inclusion of Leung fails to overcome the deficiencies of Takahashi and Shah.

The Applicant respectfully asserts that Takahashi, Shah, and Leung, when considered individually or together, fails to teach and disclose the subject matter as claimed by the Applicant in these claims.

In view of at least these comments made above, the Applicant respectfully believes that independent claim 1 is patentable over these cited references.

The Applicant respectfully believes that these dependent claims rejected above, being further limitations of the subject matter as claimed in allowable independent claims, respectively, are also allowable.

As such, the Applicant respectfully requests that the Examiner withdraw the rejections of these claims.

The Examiner asserts:

“8. Claims 4, 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi and Shah as applied to claim 1 above, and further in view of Murphy (US patent No. 6,282,192 B1).” (office action, Part of Paper No./Mail Date 20080919, p. 7)

The Applicant respectfully traverses.

The Applicant has amended certain of the claims.

The Applicant respectfully asserts that the claims are allowable over the Examiner-cited references.

The comments made above with respect to Takahashi and Shah are also applicable here.

The Applicant respectfully believes that the inclusion of Murphy fails to overcome the deficiencies of Takahashi and Shah.

The Applicant respectfully asserts that Takahashi, Shah, and Murphy, when considered individually or together, fails to teach and disclose the subject matter as claimed by the Applicant in these claims.

In view of at least these comments made above, the Applicant respectfully believes that independent claim 1 is patentable over these cited references.

The Applicant respectfully believes that these dependent claims rejected above, being further limitations of the subject matter as claimed in allowable independent claims, respectively, are also allowable.

As such, the Applicant respectfully requests that the Examiner withdraw the rejections of these claims.

The Applicant respectfully believes that claims 1-12 and 49-59 are in condition for allowance and respectfully requests that they be passed to allowance.

The Examiner is invited to contact the undersigned by telephone or facsimile if the Examiner believes that such a communication would advance the prosecution of the present U.S. utility patent application.

RESPECTFULLY SUBMITTED,
By: /SXShort/ Reg. No. 45,105
Shayne X. Short, Ph.D., Reg. No. 45,105
Direct Phone: (512) 825-1145
Direct Fax No. (888) 456-7824

GARLICK HARRISON & MARKISON
ATTORNEYS AT LAW
P.O. Box 160727
AUSTIN, TEXAS 78716-0727
TELEPHONE (512) 825-1145 / FACSIMILE (888) 456-7824 or (888) 711-8305